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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,147	04/19/2004	Yung-Liang Chang	C86.12-0005	2662
27367 7590 03/18/2008 WESTMAN CHAMPLIN & KELLY, P.A. SUITE 1400 900 SECOND AVENUE SOUTH MINNEAPOLIS, MN 55402-3319				
EXAMINER				
CASTRO, ALFONSO				
ART UNIT		PAPER NUMBER		
4142				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/827,147

Applicant(s)

CHANG ET AL.

Examiner

ALFONSO CASTRO

Art Unit

4142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO-893)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. Claims 1-3 are pending in this application.

Specification

2. The disclosure is objected to because of the following informalities: The Specification page 2, ¶2 Preferred Embodiment, contains references that are not labeled in the drawings. For example, reference to terminal 11 is not shown in Fig 1 and 3 as indicated in the Preferred Embodiment. The Specification page 2, Preferred Embodiment ¶3 also makes reference to module 2, module 3, module 4, and RF switches 5, however, there is no module 2, module 3, module 4, or RF switches 5 labeled in Figure 2. Appropriate correction is required.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show references as described in the specification. For example, reference to terminal 11 is not shown in Fig 1 and 3 as indicated in the Preferred Embodiment. The Specification page 2, Preferred Embodiment ¶3 also makes reference to module 2, module 3, module 4, and RF switches 5, however, there is no module 2, module 3, module 4, or RF switches 5 labeled in Figure 2. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended

replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 1-3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification Brief Summ[a]ry of the Invention describes "said cable is equipped with a locking device that consists of a detecting device and a sub-CPU that can communicate with the main CPU". The specification does not describe how to effect communication of information from "said microprocessor" to "said main CPU 12" in the "main block" in the event that the "locking device is plugged out" [Preferred Embodiment line 9-12]. Additionally, the specification does not contain clear, concise, and exact terms of "locking device" as to enable a person skilled in the art to make and use the same. For the purpose of compact prosecution, examiner treats interprets Claim 1 "locking device consists of a detection device and a sub-CPU" as "device consists of a detection device and a sub-CPU".

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7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1-3 are rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claim 1 recites the limitation "said microprocessor" in Claim 1, line 9. There is insufficient antecedent basis for this limitation in the claim. The Claim does not adequately identify which microprocessor it is referencing in Claim 1. For the purpose of compact prosecution, Examiner treats "said microprocessor" as "sub-CPU".

9. Claim 1, line 2-3, claims terminal connected to "said main block and the user". It is not possible to connect the main block to a human user. Therefore, for the purpose of compact prosecution, Examiner treats "the user" as "subscriber's equipment" or "user's equipment".

10. Claim 1 recites "locking device" as to enable a person skilled in the art to make and use the same. For the purpose of compact prosecution, examiner treats interprets Claim 1 "locking device consists of a detection device and a sub-CPU" as "device consists of a detection device and a sub-CPU". For the purpose of compact prosecution, examiner treats interprets Claim 1 "locking device consists of a detection device and a sub-CPU" as "device consists of a detection device and a sub-CPU".

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. **Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim [hereafter] PCT WO 02/091676 A1.**

13. As to Claim 1, Kim et al. teaches an addressable tap [Figure 1 element 400] consisting of:

“a main block” [410] “a cable connecting from the terminal and said main block and the user” [473]; [Figure 1 and 2].

“main block consists of a main central processing unit” [460] “RF switches that are electrically connected” [Page 6, line 22-24];

“said cable is equipped with a locking device at its user end and this locking device consists of a detection device” [473] and “a sub-CPU” [472] “that communicates with said main CPU” [Figure 1 and 2; Page 6, line 7-14]. The integrated circuit in the detecting unit communicates with the central processing unit of the addressable tap and corresponds to the sub-CPU claimed by applicant [Figure 1 and 2; Page 6, line 4-14].

“said detection device is electrically connected to the sub-CPU”. Figure 2 shows that IC 472 is electronically connected to the detecting unit [473].

"in case said locking device is plugged out, the detection device will detect the information and transmit it to said microprocessor [sic], which will send the information to said main CPU" [Page 6, line 7-14]. Kim et al. teaches the detecting module detects a line break [Page 6, line 7-14, line 19-24] and communicates the information to the integrated circuit which is in communication with the central processing unit [Page 6, line 7-8].

"said main CPU will instruct the RF switches to shut off CATV signals at the terminal" [Figure 2; Page 6, line 19-24]. Kim et al. teaches the central processing unit controls the on and off switching of the tap port.

14. As to Claim 2, Kim teaches an addressable tap featured by:

"main block also includes a power supply module and a filter" [420] and "demodulator module" [440]; [Figure 2; Page 7, line 19-28]. Kim discloses a filtering unit and a data detecting unit that receive modulated signals transmitted from a RF modem at the headend [Figure 2; Page 7, line 19-28].

Kim does not specifically show "a power supply module". It is, however, inherent to have a power supply module in order to supply power to the IC.

"power supply module and filter and demodulation module are electrically connected to said main CPU". Figure 2 shows filter and demodulation module are electronically connected.

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15. As to Claim 3, Kim teaches "the housing dimensions of said block is within plus minus 30% of the standard housings of existing traditional non-addressable taps to make it possible to easily replace faceplates of existing traditional taps installed for enhancement" for Kim's housing for the addressable tap is standard and the size and/or dimension falls within the range of plus minus 30% of the standard housing as defined by the claim.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

PG Pub 2002/0031224

PG Pub 2004/0139476

US Patent 5,831,663

US Patent 6,694,51

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALFONSO CASTRO whose telephone number is (571)270-3950. The examiner can normally be reached on Monday thru Friday (8am to 5pm EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Srirama Channavajjala can be reached on 571-272-4108. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

3/6/2008
AC

/Srirama Channavajjala/

Supervisory Patent Examiner, Art Unit 4142